

## Officer History

**Officer Name:** Kalinowski, Christophe

**Tax ID:** 962515

**Sex:** ■

**Shield:** 22920

**Race:** ■■■

**Rank:** POM

**Command:** 073

**DOB:** ■■■■■

**Appt Date:** ■■■■■

**Age:** ■

**Tenure:** ■

CCRB #	Report Date	Incident Date	Allegation	Disposition	NYPD Disposition	NYPD Penalty	Command
201903963	■■■■■	■■■■■	■■■■■	■■■■■			■■
	■■■■■	■■■■■	■■■■■	■■■■■			■■
	05/09/2019	05/08/2019	OMN - Improper use of body-worn camera	Other Misconduct			073
201905710	06/29/2019	06/29/2019	OMN - Improper use of body-worn camera	Other Misconduct			073
202000485	01/17/2020	12/27/2019	Force - Physical force				073
	01/17/2020	12/27/2019	Discourtesy - Word				073
	01/17/2020	12/27/2019	Abuse - Forcible Removal to Hospital				073
<b>Total Charges = 7</b>					<b>Total Cases = 3</b>		

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Genevieve Lamont	Team: Squad #8	CCRB Case #: 201903963	<input checked="" type="checkbox"/> Force <input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> Discourt. <input type="checkbox"/> O.L.	<input type="checkbox"/> U.S. <input type="checkbox"/> Injury
Incident Date(s) Wed, 05/08/2019 6:00 PM	Location of Incident: in front of the [REDACTED] ( [REDACTED] Bergen Street)		Precinct: 73	S.O.L. Expires: 11/08/2020	
Date/Time CV Reported Thu, 05/09/2019 8:21 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 05/09/2019 8:21 AM		

Complainant/Victim	Type	Home Address
1. B [REDACTED] O [REDACTED]	Reporting Non-Witness	[REDACTED]
2. J [REDACTED] G [REDACTED]	Comp/Victim	[REDACTED]
3. C [REDACTED] W [REDACTED]	Comp/Victim	[REDACTED]

Witness(es)	Home Address
1. B [REDACTED] U [REDACTED]	Unknown
2. D [REDACTED] N [REDACTED]	Unknown
3. C [REDACTED] C [REDACTED]	[REDACTED]
4. R [REDACTED] K [REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM H [REDACTED] K [REDACTED]	[REDACTED]	[REDACTED]	073 PCT
2. POM V [REDACTED] M [REDACTED]	[REDACTED]	[REDACTED]	073 PCT
3. POM Christophe Kalinowski	22920	962515	073 PCT
4. POM M [REDACTED] B [REDACTED]	[REDACTED]	[REDACTED]	073 PCT
5. An officer			073 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF K [REDACTED] S [REDACTED]	[REDACTED]	[REDACTED]	073 PCT

Officer(s)	Allegation	Investigator Recommendation
A . POM H [REDACTED] K [REDACTED]	Force: Police Officer H [REDACTED] K [REDACTED] used physical force against C [REDACTED] W [REDACTED]	A . Miscellaneous - Subject Resigned
B . POM M [REDACTED] B [REDACTED]	Force: Police Officer M [REDACTED] B [REDACTED] used physical force against C [REDACTED] W [REDACTED]	B . Exonerated
C . POM Christophe Kalinowski	Force: Police Officer Christopher Kalinowski used physical force against C [REDACTED] W [REDACTED]	C . Exonerated
D . POM V [REDACTED] M [REDACTED]	Force: Police Officer V [REDACTED] M [REDACTED] used physical force against C [REDACTED] W [REDACTED]	D . Exonerated
E . POM M [REDACTED] B [REDACTED]	Force: An officer restricted C [REDACTED] W [REDACTED] breathing.	E . Unsubstantiated
F . An officer	Abuse of Authority: An officer threatened to arrest J [REDACTED] G [REDACTED]	F . Exonerated
G . POM Christophe Kalinowski	Abuse of Authority: Police Officer Christopher Kalinowski threatened to arrest J [REDACTED] G [REDACTED]	G . Exonerated
H . POM H [REDACTED] K [REDACTED]	Discourtesy: Police Officer H [REDACTED] K [REDACTED] acted discourteously toward J [REDACTED] G [REDACTED]	H . Miscellaneous - Subject Resigned

Officer(s)	Allegation	Investigator Recommendation
I . POM M [REDACTED] B [REDACTED]	Abuse of Authority: Police Officer M [REDACTED] B [REDACTED] refused to provide his name to J [REDACTED] G [REDACTED]	I . Substantiated
J . POM M [REDACTED] B [REDACTED]	Abuse of Authority: Police Officer M [REDACTED] B [REDACTED] refused to provide his shield number to J [REDACTED] G [REDACTED]	J . Substantiated
K . POM Christophe Kalinowski	Other: Police Officer Christophe Kalinowski improperly used his body-worn camera according to Patrol Guide Procedure 212-123.	K . Other Misconduct
L . POM M [REDACTED] B [REDACTED]	Other: Police Officer M [REDACTED] B [REDACTED] improperly used his body-worn camera according to Patrol Guide Procedure 212-123.	L . Other Misconduct
M . POM V [REDACTED] M [REDACTED]	Other: Police Officer V [REDACTED] M [REDACTED] improperly used his body-worn camera according to Patrol Guide Procedure 212-123.	M . Other Misconduct

### Case Summary

On May 9, 2019, B [REDACTED] O [REDACTED] filed the following complaint with the CCRB by phone on behalf of her son, C [REDACTED] W [REDACTED]. Mr. W [REDACTED] stepfather, J [REDACTED] G [REDACTED] provided a statement to the Intake Investigator, as he was present during the incident and Ms. O [REDACTED] was not.

On May 8, 2019, at approximately 6:00 p.m., EMT C [REDACTED] C [REDACTED] and EMT R [REDACTED] K [REDACTED] responded to a radio call involving Mr. W [REDACTED] at the [REDACTED] located at [REDACTED] Bergen Street in Brooklyn. Mr. G [REDACTED] was also on scene. Mr. W [REDACTED] began to cut himself with a piece of glass, and the EMTs called for NYPD. PO H [REDACTED] K [REDACTED] PO M [REDACTED] B [REDACTED] PO Christopher Kalinowski, PO V [REDACTED] M [REDACTED] and PO K [REDACTED] S [REDACTED] all from the 73rd Precinct, responded to the scene. PO K [REDACTED] PO B [REDACTED] PO Kalinowski, and PO M [REDACTED] entered the ambulance and attempted to restrain Mr. W [REDACTED] who resisted. Two officers grabbed Mr. W [REDACTED] by his biceps, picked up his legs, and attempted to handcuff him (**Allegations A through D: Force; Miscellaneous – Subject Resigned and Exonerated**). At one point during the struggle, PO B [REDACTED] pushed Mr. W [REDACTED] face against the ambulance bench, which allegedly restricted his breathing (**Allegation E: Force; Unsubstantiated**). They then handcuffed Mr. W [REDACTED] securing him to a stretcher inside the ambulance.

As this was going on, Mr. G [REDACTED] stood outside the ambulance and recorded the officers. At one point, an officer allegedly told him, “Back up, get out the way, don’t interfere or you could get locked up.” (**Allegation F: Abuse of Authority; Exonerated**). PO Kalinowski later told Mr. G [REDACTED] that he would be arrested for obstruction of government administration (**Allegation G: Abuse of Authority; Unsubstantiated**). Once the officers left the ambulance, Mr. G [REDACTED] asked all the officers for their business cards. PO K [REDACTED] allegedly held his business card a couple of inches above Mr. G [REDACTED] head (**Allegation H: Discourtesy; Miscellaneous – Subject Resigned**). Mr. G [REDACTED] then asked PO B [REDACTED] for his name and shield number, which he did not provide (**Allegations I and J: Abuse of Authority; Substantiated**). Mr. W [REDACTED] was removed to Brookdale Hospital in Brooklyn.

Mr. G [REDACTED] provided cellphone footage he took of the incident [BR01, BR02, and BR03, respectively]. Body-worn camera (BWC) footage from PO K [REDACTED] PO B [REDACTED] PO Kalinowski, and PO M [REDACTED] was also obtained by the investigation [BR04 through BR10, respectively]. PO K [REDACTED] PO Kalinowski, PO B [REDACTED] and PO M [REDACTED] improperly used their BWC’s during this incident (**Allegations K through N: Other Misconduct**).

### Findings and Recommendations

**Allegation (A) Force: Police Officer H [REDACTED] K [REDACTED] used physical force against C [REDACTED] W [REDACTED]**

**Allegation (B) Force: Police Officer M [REDACTED] B [REDACTED] used physical force against C [REDACTED] W [REDACTED]**

**Allegation (C) Force: Police Officer Christopher Kalinowski used physical force against C [REDACTED] W [REDACTED]**

**Allegation (D) Force: Police Officer V [REDACTED] M [REDACTED] used physical force against C [REDACTED] W [REDACTED]**

**Allegation (E) Force: Police Officer B [REDACTED] restricted C [REDACTED] W [REDACTED] breathing.**

It is undisputed that PO K [REDACTED] PO B [REDACTED] PO Kalinowski, and PO M [REDACTED] all used force against Mr. W [REDACTED] while attempting to restrain him. It remains in dispute if, during this, PO B [REDACTED] restricted Mr. W [REDACTED] breathing.

Mr. W [REDACTED] testified that EMS was called for him after his ELA instructor, D [REDACTED] N [REDACTED] observed that he had self-cut his arms. EMT C [REDACTED] and EMT K [REDACTED] arrived on scene and escorted him to the ambulance outside. Mr. W [REDACTED] had a piece of glass, which he used to cut himself, in his pocket. Once outside, Mr. W [REDACTED] saw his stepfather, Mr. G [REDACTED]. Mr. W [REDACTED] was directed into the ambulance and sat inside for about five minutes. While inside the ambulance, Mr. W [REDACTED] cut his arms with the piece of glass inside his pocket. EMT K [REDACTED]

entered the ambulance and told Mr. W [REDACTED] to give him the piece of glass, which he refused to do. EMT K [REDACTED] then called over his radio that Mr. W [REDACTED] possessed a weapon and was being resistant. Approximately ten minutes later, three police vehicles arrived. Mr. W [REDACTED] was approached by PO K [REDACTED], PO B [REDACTED], PO Kalinowski, and PO M [REDACTED]. Mr. W [REDACTED] told the officers to back away from him, to which they responded that they would once he sat down on the bench inside the ambulance. Mr. W [REDACTED] refused and told the officers that he would sit down once they backed away. After three minutes of refusing to sit, an officer grabbed Mr. W [REDACTED] by his bicep. Mr. W [REDACTED] pulled his arm out of the officer's grasp. He was then pushed from behind by one of the officers. An officer then grabbed the back of his head and pushed his face into the bench. Mr. W [REDACTED] began to "jerk" his body around. The officers picked up his legs and placed their knees on his back and legs. Mr. W [REDACTED] had difficulty breathing during this. One officer then pulled Mr. W [REDACTED] hands behind his back to handcuff him, and Mr. W [REDACTED] began to move his hands. PO K [REDACTED] then punched him two to three times in the ribs. Mr. W [REDACTED] was then handcuffed and strapped to the bench in the ambulance [BR11].

According to the Event Information, the radio call was received as an emotionally disturbed person (EDP) with a weapon, who was trying to cut himself [BR12].

EMT C [REDACTED] testified that he and EMT K [REDACTED] responded to the scene, where they escorted Mr. W [REDACTED] to the ambulance and strapped him to a bench inside. EMT C [REDACTED] then went to speak with Mr. G [REDACTED] while doing so, Mr. W [REDACTED] retrieved a piece of glass from either his mouth or pocket and began to cut his arm. Both EMT C [REDACTED] and EMT K [REDACTED] ordered Mr. W [REDACTED] to give them the glass several times, which Mr. W [REDACTED] initially refused to do. EMT C [REDACTED] called 911 in response. He stated that Mr. William's eventually gave the glass to EMT K [REDACTED] after one of his requests. When NYPD officers arrived on scene, EMT C [REDACTED] informed them that Mr. W [REDACTED] had cut himself with a piece of glass and did not know if he had any more dangerous objects on his person. Four officers then entered the ambulance. EMT C [REDACTED] heard one officer tell Mr. W [REDACTED] "Work with us, and we won't have to put you in cuffs" and asked if he had any glass or other weapons on him. Mr. W [REDACTED] did not respond. Mr. W [REDACTED] was seated but did not have his seatbelt fastened. An officer attempted to pat down Mr. W [REDACTED] who pushed the officer's hands away. Two officers each grabbed one of Mr. W [REDACTED] arms and the two other officers grabbed his legs. EMT C [REDACTED] stopped observing the scene inside the ambulance, but heard Mr. W [REDACTED] say, "Why did you punch me?" He did not see any officer punch Mr. W [REDACTED]. He saw one officer place his knees on Mr. W [REDACTED] back and one officer grab him by the neck, but he did not know which officer did this. Mr. W [REDACTED] was eventually handcuffed and placed on a stretcher. Two officers exited the ambulance and two remained inside with Mr. W [REDACTED] [BR13]. EMT K [REDACTED] was largely consistent with EMT C [REDACTED] but did not see any officer use force. He testified that he informed the officers that Mr. W [REDACTED] had a piece of glass on him when they arrived on scene [BR14].

PO K [REDACTED] has resigned from the NYPD, and therefore the investigation was unable to obtain a statement from him [BR15]. The ISAR report prepared by Captain H [REDACTED] D [REDACTED] of the 73<sup>rd</sup> Precinct reported that PO K [REDACTED] informed him that Mr. W [REDACTED] would not let the officers handcuff him. At one point, with one hand cuffed, he swung this hand at the officers, and PO K [REDACTED] fearing that this could cause injury to himself and the other officers, administered a compliance strike to Mr. W [REDACTED] stomach, allowing the officers to complete handcuffing him [BR16].

PO Kalinowski testified that, upon arriving on scene, he and PO B [REDACTED] spoke with Mr. W [REDACTED]. He did not recall issuing any commands, aside from telling Mr. W [REDACTED] to sit down, which he refused to do. Mr. W [REDACTED] then spit, kicked, and punched at PO Kalinowski. PO Kalinowski grabbed Mr. W [REDACTED] by the arms but did not know if PO B [REDACTED] or any other officer assisted him in this. Mr. W [REDACTED] kicks connected with PO Kalinowski, but PO Kalinowski could not recall who else Mr. W [REDACTED] kicked. PO Kalinowski did not punch Mr. W [REDACTED], place pressure on his head, or place his knees into his back at any point. He did not see any officers take

these actions. PO Kalinowski did not know who handcuffed Mr. W [REDACTED] [BR17].

PO B [REDACTED] was largely consistent with PO Kalinowski. He testified that he assisted PO Kalinowski in grabbing Mr. W [REDACTED] by the arms to handcuff him, which he stated was for his own safety. Mr. W [REDACTED] flailed his arms, kicked and spat on both officers. He stated that either he or PO Kalinowski handcuffed Mr. W [REDACTED]. He did not punch Mr. W [REDACTED] place pressure on his head, or place his knees into his back at any point; he did not recall if any other officer did this [BR18]. The AIDED report prepared by PO B [REDACTED] noted that Mr. W [REDACTED] had a piece of glass, which he used to cut himself, and resisted going to the hospital by kicking, spitting, biting, head butting, and punching officers [BR19].

PO M [REDACTED] testified that after Mr. W [REDACTED] refused to sit down for transportation, he, PO Kalinowski, PO B [REDACTED] and PO K [REDACTED] all attempted to handcuff Mr. W [REDACTED] by grabbing his arms. Mr. W [REDACTED] pulled his arms towards his chest and kicked at the officers. At one point, Mr. W [REDACTED] moved his arm out of PO M [REDACTED] grasp, and continued to move back and forth, waving his arms. Eventually, the officers were able to handcuff Mr. W [REDACTED]. PO M [REDACTED] did not recall if any officers used any additional force aside from grabbing Mr. W [REDACTED] arms [BR20].

Footage from PO B [REDACTED] BWC shows that he, PO Kalinowski, PO K [REDACTED] and PO M [REDACTED] attempted to handcuff Mr. W [REDACTED] from 00:00 minutes to 02:11 minutes. The officers attempt to handcuff Mr. W [REDACTED] by grabbing his arms, and in response, he flails his arms and kicks at the officers. Mr. W [REDACTED] is handcuffed at 01:16 minutes. Mr. W [REDACTED] then spits at the officers, to which PO B [REDACTED] places his arm across Mr. William's face and tells him to stop spitting. At 1:50 minutes, he removes his arm from Mr. W [REDACTED] face and one of the officers places a spit guard mask on him. Mr. W [REDACTED] continues to move his head and body, and officers tell him to stop resisting. At the 3:00 minute mark, the officers move Mr. W [REDACTED] to the stretcher inside the ambulance, where they hold him down as they strap him in [BR09]. The BWC from PO K [REDACTED], PO Kalinowski, and PO M [REDACTED] largely captures what PO B [REDACTED] captures [BR04, BR06, BR10, respectively]. While none of the BWC footage shows PO K [REDACTED] hitting Mr. W [REDACTED] at 1:40 minutes in PO B [REDACTED] BWC, he acknowledges using compliance strikes [BR09]. Additionally, none of the BWC footage captures officers placing their knees on Mr. W [REDACTED] back. Upon viewing PO Kalinowski's BWC, PO B [REDACTED] contested that he placed his hand on Mr. William's shoulder, not his neck, but did not provide any additional statements as to why he took this action [BR06].

According to Patrol Guide Procedure 221-13, if an emotionally disturbed person is a danger to himself or others, force may be used when it is reasonable to prevent serious physical injury or death. Members of service will use only the reasonable force necessary to gain control or custody of a subject [BR21].

As PO K [REDACTED] resigned from the NYPD prior to the investigation obtaining a statement, it is recommended that **Allegation A** be closed as **Miscellaneous – Subject Resigned**.

Given Mr. W [REDACTED] represented a clear danger to both himself and the officers and given his well-documented resistance to being removed to the hospital, the officers were justified in using grappling techniques and compliance strikes to handcuff Mr. W [REDACTED] so that he could be transported for evaluation. It is therefore recommended that **Allegations B through D** be closed as **Exonerated**.

While BWC footage shows PO B [REDACTED] pushing Mr. W [REDACTED] face to the side after Mr. W [REDACTED] spat at the officers, the investigation could not determine if him doing so caused Mr. W [REDACTED] breathing to be restricted, or if it was his intention restrict his breathing. Therefore, it is recommended that **Allegation E** be closed as **Unsubstantiated**.

**Allegation (F) Abuse of Authority: An officer threatened to arrest J [REDACTED] G [REDACTED]**

**Allegation (G) Abuse of Authority: Police Officer Christopher Kalinowski threatened to arrest J [REDACTED] G [REDACTED]**

It is undisputed that PO Kalinowski threatened to arrest Mr. G [REDACTED]

Mr. G [REDACTED] testified that as the officers attempted to handcuff Mr. W [REDACTED] he moved closer towards the ambulance to observe the interaction. When PO K [REDACTED] struck Mr. W [REDACTED] Mr. G [REDACTED] cursed at the officers. PO S [REDACTED] then told him to stand back. He then heard an officer say, "Back up, get out the way, don't interfere or you could get locked up", but did not know which officer inside the ambulance said this. Mr. G [REDACTED] continued to stand by the ambulance and cursed out the officers. After the officers exited the ambulance, PO Kalinowski informed Mr. G [REDACTED] that he could arrest him for obstruction [BR22].

EMT C [REDACTED] did not recall what Mr. G [REDACTED] and the officers said to each other during the incident. He testified that an officer told Mr. G [REDACTED] to "back up" and threaten to arrest Mr. G [REDACTED] if he interfered but did not know which officer said this. He later heard PO Kalinowski tell Mr. G [REDACTED] that he would be arrested if he continued "to behave the way he was" but did not recall if PO Kalinowski stated what he could have been arrested for [BR13]. EMT K [REDACTED] did not hear any officer threaten to arrest Mr. G [REDACTED] [BR14].

PO Kalinowski testified that while he and the other officers were handcuffing Mr. W [REDACTED] Mr. G [REDACTED] stood outside the ambulance. When Mr. G [REDACTED] moved within an arm's length of PO Kalinowski, while remaining outside the ambulance, he told Mr. G [REDACTED] to back up. He did not recall if he or any other officer told Mr. G [REDACTED] that if he interfered, he could be arrested. He did not recall if, after restraining Mr. W [REDACTED] he or any other officer threatened to arrest Mr. G [REDACTED] for obstruction of government administration [BR17].

PO B [REDACTED] did not recall if he or PO Kalinowski had any interaction with Mr. G [REDACTED] while they were in the ambulance. He did not recall if he or PO Kalinowski told Mr. G [REDACTED] to back up or if either of them specifically mentioned an arrest. He believed that Mr. G [REDACTED] actions did not justify an arrest [BR18]. PO M [REDACTED] did not hear any officer threaten to arrest Mr. G [REDACTED] [BR20].

At 1:08 minutes of PO Kalinowski's BWC, an officer is heard telling PO S [REDACTED] to get Mr. G [REDACTED] to step back. At 1:22 minutes, an officer again tells Mr. G [REDACTED] to back up. The investigation could not determine which officer said this [BR06].

PO Kalinowski's BWC footage also captures him pulling Mr. G [REDACTED] away from the entrance of the ambulance at 00:19 minutes. PO Kalinowski then enters the ambulance. At 00:45 minutes, one of the EMTs, says, "Please don't touch me, sir", referring to Mr. G [REDACTED]. It is not shown what Mr. G [REDACTED] is doing. At 00:47 minutes, PO Kalinowski responds, "You're going to get arrested for OGA, do you understand?" [BR07]. Upon viewing the footage, PO Kalinowski was unable to identify the voice, but stated that the footage refreshed his recollection that Mr. G [REDACTED] was not allowing an EMT to enter the ambulance [BR17]. PO B [REDACTED] was shown the same footage and identified the voice at 00:47 minutes as PO Kalinowski's. PO B [REDACTED] stated that PO Kalinowski was not threatening Mr. G [REDACTED] but informing him that he would be arrested if he did not move out of the way of an emergency vehicle [BR18]. Cellphone footage taken by Mr. G [REDACTED] shows PO Kalinowski and an EMT telling Mr. G [REDACTED] to back away from the ambulance, and PO Kalinowski explains to Mr. G [REDACTED] that he will be arrested for OGA if he does not move away from the ambulance [BR03].

As per NY CLS § 195.05, a person is guilty of obstructing governmental administration when he intentionally obstructs, impairs, or perverts the administration of law or other governmental function [BR23].

While no officer acknowledged telling Mr. G [REDACTED] that he would be arrested if he interfered, BWC footage and Mr. G [REDACTED] testimony established that Mr. G [REDACTED] was told multiple times to back up. This alleged statement would have been exorable, as Mr. G [REDACTED] was repeatedly told to back up while the officers were actively attempting to handcuff Mr. W [REDACTED]. If he had interfered with the handcuffing of Mr. W [REDACTED] the officers would have been justified in arresting Mr. G [REDACTED]. Additionally, as shown by PO Kalinowski's BWC, PO Kalinowski attempted to move Mr. G [REDACTED] away from the entrance of the ambulance and Mr. G [REDACTED] is later told not to touch either an EMT or an officer on scene. As cited above, Mr. G [REDACTED] actions

impaired the ability of the officers and EMTs to perform their duties, and the threats to arrest him for obstruction of government administration were justified. It is therefore recommended that **Allegations F and G** be closed as **Exonerated**.

**Allegation (H) Discourtesy: Police Officer H [REDACTED] K [REDACTED] acted discourteously toward J [REDACTED] G [REDACTED]**

**Allegation (I) Abuse of Authority: Police Officer M [REDACTED] B [REDACTED] refused to provide his name to J [REDACTED] G [REDACTED]**

**Allegation (J) Abuse of Authority: Police Officer M [REDACTED] B [REDACTED] refused to provide his shield number to J [REDACTED] G [REDACTED]**

While it remains in dispute as to whether PO K [REDACTED] held his business card above Mr. G [REDACTED] head, the investigation determined that PO B [REDACTED] failed to provide his name and shield number to Mr. G [REDACTED] when asked.

Mr. G [REDACTED] testified that after the officers exited the ambulance, he asked the officers in a group for their name and shield numbers, which he recorded himself doing. He also stated that he asked two officers, determined by the investigation to be PO B [REDACTED] and PO K [REDACTED] individually for their name and shield numbers. After he requested this information, PO K [REDACTED] held his business card a couple of inches above Mr. G [REDACTED] head. Mr. G [REDACTED] responded, who has a physical disability, “Am I that tall? I’m disabled. You know I can’t reach that”, and then retrieved the business card. The officers then returned to their vehicle and Mr. G [REDACTED] followed them. PO Kalinowski then provided his business card. The officers then left the scene. [BR22].

Cellphone footage recorded by Mr. G [REDACTED] shows that PO K [REDACTED] provided his business card to Mr. G [REDACTED]. He holds it at an elevated angle, so that it appears to be at Mr. G [REDACTED] head level rather than his chest level. However, it is unclear how high he holds it, as the recording did not capture this. Mr. G [REDACTED] is heard saying, “Am I that tall?”, although he did not mention a disability. He is seen reaching up, but it is unclear how far he had to reach [BR02]. The investigation could not obtain a statement from PO K [REDACTED] as he had resigned from the NYPD.

PO B [REDACTED] stated he did not recall Mr. G [REDACTED] asking for his name or shield number [BR18]. PO Kalinowski testified that he provided his name and shield number to Mr. G [REDACTED] but did not recall if PO B [REDACTED] or any other officer on scene did so [BR17]. PO M [REDACTED] testified that Mr. G [REDACTED] stated he needed the names and shield numbers of all the officers on scene, and that he and the officers in the ambulance provided their business cards [BR20].

Mr. G [REDACTED] cellphone footage shows Mr. G [REDACTED] requesting the names and shield numbers of all the officers as a group. At 00:21 minutes, he specifically requests the name and shield number from PO B [REDACTED] who verbally acknowledges hearing Mr. G [REDACTED] but does not provide his information [BR02]. At no point in Mr. G [REDACTED] cellphone footage or the officers’ BWC does it show PO B [REDACTED] providing his information [BR04 through BR10, respectively]. After watching the cellphone footage, PO B [REDACTED] did not acknowledge seeing himself on the video and stated that the video did not refresh his recollection and he had no other statement regarding the incident [BR18].

As per Patrol Guide Procedure 203-09, members of service are required to courteously and clearly state their rank, name, shield number, and command, or otherwise provide them, to anyone who requests they do so [BR24].

As the investigation could not obtain a statement from PO K [REDACTED] due to his resignation, it is recommended that **Allegation H** be closed as **Miscellaneous – Subject Resigned**.

As cellphone footage showed that PO B [REDACTED] failed to provide his information when asked and did not provide a statement to the investigation upon viewing this footage, it is recommended that **Allegations I and J** be closed as **Substantiated**.





Investigator: \_\_\_\_\_  
Signature                      Print Title & Name                      Date

Squad Leader: \_\_\_\_\_  
Signature                      Print Title & Name                      Date

Reviewer: \_\_\_\_\_  
Signature                      Print Title & Name                      Date